UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1996/600
29 July 1996

ORIGINAL: ENGLISH

LETTER DATED 25 JULY 1996 FROM THE SECRETARY-GENERAL
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to convey the attached communication, dated 25 July 1996, which I have received from the Secretary-General of the North Atlantic Treaty Organization.

I would appreciate your bringing it to the attention of the members of the Security Council.

(Signed) Boutros BOUTROS-GHALI

96-19137 (E) 290796 300796

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Annex

Letter dated 25 July 1996 from the Secretary-General of the North Atlantic Treaty Organization addressed to the Secretary-General

In accordance with United Nations Security Council resolution 1031, I attach the eighth report on IFOR operations. I would appreciate your making this report available to the United Nations Security Council.

During the last month, IFOR has placed increased emphasis on support to the OSCE in preparation for the Bosnian elections on 14 September. It was particularly valuable that Richard Holbrooke was able last week to achieve the immediate and permanent withdrawal of Karadzic from all political activities. This removes an important obstacle to the holding of free and fair elections, but we will need to remain vigilant to ensure that the agreement is fully implemented.

I remain content that IFOR continues to provide a secure environment in which the civilian agencies can continue their work to implement the Peace Agreement. However, I am concerned about recent threats directed against the United Nations International Police Task Force. Please be assured that IFOR remains prepared to ensure a secure environment and will not tolerate any deliberate attacks on United Nations or other personnel engaged in implementing the Peace Agreement.

(Signed) Javier SOLANA

Appendix

Eighth Report to the United Nations Security Council on IFOR operations

IFOR Operations

1. The multinational implementation force (IFOR) comprises approximately 53,000 personnel deployed in Bosnia-Herzegovina and Croatia, from all the NATO nations and from 16 non-NATO contributors. Offers from four additional non-NATO nations are pending. IFOR air assets continue to provide the capability required to secure the airspace, defend and support IFOR ground forces, provide support to civilian agencies within mission capabilities, and to monitor compliance. Although a Memorandum of Agreement with the Federal Republic of Yugoslavia (Serbia and Montenegro) on the establishment of a "restricted operating zone" to allow for IFOR close air support training flights has still not yet been signed, operational plans to provide close air support to the United Nations Transitional Authority in East Slavonia (UNTAES) remain in-place. IFOR maritime assets also remain deployed in support of IFOR.

2. During the reporting period, IFOR has continued to carry out its primary task of implementing the military aspects of the Peace Agreement, with efforts focused on the inspection and verification of barracks/cantonments and air defence weapons storage sites. Ground and aerial patrols of the Inter-Entity Boundary Line (IEBL) and the Zone of Separation (ZOS) have been maintained, as has the monitoring of de-mining operations. In addition, IFOR has developed plans with UNTAES to support an emergency withdrawal of the UNTAES force.

3. Mines continue to pose the greatest risk to IFOR and others. In addition, there have been some recent threats directed against IFOR and the United Nations International Police Task Force (IPTF), however, IFOR maintains the robust capabilities and Rules of Engagement which enable it to defend itself effectively and to provide protection for others involved in implementing the Peace Agreement.

4. Within its capabilities and subject to the fulfilment of its primary military mission, IFOR has increased its support to the implementation of the civilian aspects of the Peace Agreement. The basis for this support is the maintenance of a secure environment in which the civil organizations can operate. Civilian Freedom of Movement (FOM) remains paramount to the success of all civilian activities in theatre, and thus is a key focus for the way ahead. To facilitate civilian FOM, IFOR has extended its patrolling throughout Bosnia-Herzegovina; it has also made substantial progress in opening up the country by making or supporting large-scale improvements to infrastructure such as roads, bridges and railroads; and it is working closely with the Office of the High Representative (OHR), the Office of the United Nations High Commissioner for Refugees (UNHCR) and the IPTF to implement the procedures agreed with the Parties in Geneva on 13 May on IEBL crossings. This work will continue, together with efforts to open airports to commercial traffic. Fundamental to civilian FOM, however, is the requirement for the Parties themselves to comply

with the provisions of the Peace Agreement, and over the past month there has been a number of incidents of restriction of movement which have led to increased tension in some areas.

Cooperation and compliance by the Parties

5. Considerable progress has been registered in the cantonment of the forces and heavy weapons of the former warring factions over the past month. The overall trend is deemed positive, although IFOR has continued to discover undeclared weapons (mostly small arms), which have been disposed of, as necessary, in line with COMIFOR's stated policy post D+180 (17 June). Demobilization continues, albeit at a slow rate, resulting largely from poor internal organization and lack of opportunity in the civil job market. The demobilization process is not therefore expected to be completed until approximately mid-September.

6. Organized Foreign Forces have been withdrawn from Bosnia and Herzegovina, although a limited number of individuals remain. These are not assessed as posing a threat to IFOR or the peace process, but IFOR will continue to monitor this situation. According to the Office of the High Representative, all prisoners of war, for whom the United Nations International Criminal Tribunal for the former Yugoslavia (ICTY) have determined that there is insufficient evidence to warrant further detention, have been released. However, there is substantial evidence indicating that the Parties continue to detain prisoners who have not been registered by the International Committee of the Red Cross (ICRC).

7. Negotiations with the Parties on a package of changes to the Inter-Entity Boundary Line (IEBL) have been successfully completed and these were followed by a signing ceremony in Sarajevo. However, the IEBL discussions have been unsuccessful in resolving the extremely tense situation in the Sarajevo suburb of Dobrinja.

Cooperation with the High Representative, the OSCE, and other international organizations

8. IFOR remains committed to assisting the successful completion of civilian implementation tasks contained in the Peace Agreement and its Annexes, and will continue to build upon the good cooperation established with the Office of the High Representative and the many civil agencies.

9. Working closely with the European Union Administration, IFOR successfully provided security and other support to the recent elections in Mostar. In preparation for the September elections, IFOR is now strengthening its support for the OSCE and is already fully assisting in the implementation of the election process. This close cooperation will enable IFOR to respond quickly to further OSCE requests for assistance as and when necessary.

10. Under guidance from the NAC, IFOR has begun to share information with OSCE Personal Representative General Vigleik Eide in support of his broader effort to implement the Agreement on subregional arms control, which was concluded in Florence on 14 June. In particular, IFOR is sharing all reliable

data it obtains on weapons holdings inside Bosnia and Herzegovina in order to encourage the credible implementation of this important agreement.

11. IFOR continues to support the ICTY, in particular by carrying out extensive aerial and ground surveillance of alleged mass grave sites to which ICTY has given priority status. IFOR also continues to provide security and logistical support to ICTY teams investigating these sites. The most recent example is the support given by IFOR to the ICTY investigations of alleged mass grave sites in the Srebrenica area, which started on 7 July. IFOR also considers that its extended patrolling to facilitate FOM has significantly restricted the mobility of indicted war criminals.

Force reshaping

12. IFOR is currently being reshaped with forces that are better suited for the tasks facing it during the remainder of its mission. For example, with an increase and extension of patrolling throughout the theatre in order to promote Freedom of Movement in the run up to the elections, mobile units better suited to this task are replacing heavier, armoured units. This reshaping will not significantly affect overall force levels, and IFOR will be maintained at approximately its current force levels until after the elections. It will retain its overall capability until December, when its mandate comes to an end.

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1996/601
29 July 1996
ENGLISH
ORIGINAL: ENGLISH, FRENCH
AND RUSSIAN

Draft resolution

The Security Council,

Recalling its resolution 1037 (1996) of 15 January 1996 establishing the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium (UNTAES) and its resolution 1043 (1996) of 31 January 1996 authorizing the deployment of military observers as part of UNTAES,

Having considered the report of the Secretary-General of 26 June 1996 (S/1996/472 and Add.1),

1. Decides to authorize, as part of UNTAES, and in accordance with the provisions of resolution 1037 (1996), the deployment of 100 military observers for an additional period of six months, ending on 15 January 1997;

2. Decides to remain seized of the matter.

96-19218 (E) 300796 310796

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1996/602
29 July 1996

ORIGINAL: ENGLISH

LETTER DATED 29 JULY 1996 FROM THE PERMANENT REPRESENTATIVE OF THE ISLAMIC REPUBLIC OF IRAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

Upon instruction from my Government and in accordance with Article 51 of the Charter of the United Nations, I have the honour to bring the following information to your attention:

As you are aware, owing to prevailing circumstances, the Government of Iraq is not in a position to exercise effective control over its territory in the northern part of that country. Consequently, in recent weeks transborder armed attacks and sabotage operations by terrorist groups against Iranian border towns, originating from Iraqi territory, have been intensified and escalated. These incursive and cruel activities which resulted in numerous human casualties and material damages to civilian population constitute a grave violation of the sovereignty and territorial integrity of the Islamic Republic of Iran.

In response to these encroachments by terrorist armed groups and in accordance with its inherent right of self-defence enshrined in Article 51 of the Charter, the Islamic Republic of Iran took immediate and proportional measures, which were necessary for curbing and suppressing such aggressive activities. The details of these operations, which have already been concluded, are as follows:

On 28 July 1996, the Iranian defence forces pursued the retreating armed groups that attacked civilian targets in the border towns of Piranshahr, Mahabad and Oroumiyeh, and targeted their training camps in Iraq.

While reserving its inherent right to self-defence in accordance with Article 51 of the Charter, the Islamic Republic of Iran reiterates, once again, its respect for the territorial integrity of Iraq.

It would be appreciated if the present letter were circulated as a document of the Security Council.

(Signed) Kamal KHARRAZI
Ambassador
Permanent Representative

96-19174 (E) 290796 300796

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1996/603
30 July 1996
ENGLISH
ORIGINAL: ENGLISH/FRENCH

NOTE BY THE PRESIDENT OF THE SECURITY COUNCIL

Simplification of the list of matters of which the Security Council is seized (rule 11 of the provisional rules of procedure of the Security Council)

1. As part of their efforts to improve the documentation of the Security Council, the members of the Council have again reviewed the list of matters of which the Security Council is seized. That list if contained in the summary statement by the Secretary-General established pursuant to rule 11 of the Council's provisional rules of procedure.

2. The Security Council has decided that, as of 15 September 1996, matters which have not been considered by the Council in the preceding five years will be automatically deleted from the list of matters of which the Council is seized.

3. The result will be that in the next summary statement issued by the Secretary-General after 15 September 1996, the matters listed in the annex to the present note will be deleted. A matter will, however, be provisionally retained in the list of matters of which the Security Council is seized for a period of one year if a Member of the United Nations notifies its objection to its deletion before 15 September 1996. If at the end of one year the matter has still not been considered by the Council, it will be automatically deleted.

4. The removal of a matter from the list of matters of which the Security Council is seized has no implication for the substance of the matter and does not affect the exercise by Member States of its right to bring matters to the attention of the Security Council in conformity with Article 35 of the Charter of the United Nations. The Council may at any time decide to include any matter in the agenda of a meeting of the Council, whether or not it is mentioned in the list.

96-19314 (E) 010896 020896

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Annex

ITEMS NOT TAKEN UP BY THE SECURITY COUNCIL IN FORMAL MEETINGS DURING THE FIVE YEAR PERIOD 1991-1995

Item No. a/	Title	Meeting at which the item was last considered
1	Special agreements under Article 43 of the Charter and the organization of the armed forces to be made available to the Security Council	157th, 15 July 1947
2	Rules of procedure of the Security Council	472nd, 24 May 1950
5	The Palestine question	1328th, 25 November 1966
6	The India-Pakistan question	226th, 6 January 1948
7	The Hyderabad question	426th, 24 May 1949
8	Letter dated 20 February 1958 from the representative of the Sudan addressed to the Secretary-General	812th, 21 February 1958
9	Letter dated 11 July 1960 from the Minister for Foreign Affairs of Cuba addressed to the President of the Security Council	876th, 19 July 1960
10	Letter dated 31 December 1960 from the Minister for External Affairs of Cuba addressed to the President of the Security Council	923rd, 5 January 1961
11	Complaint by Kuwait in respect of the situation arising from the threat by Iraq to the territorial independence of Kuwait, which is likely to endanger the maintenance of international peace and security. Complaint by the Government of the Republic of Iraq in respect of the situation arising out of the armed threat by the United Kingdom to the independence and security of Iraq, which is likely to endanger the maintenance of international peace and security	960th, 7 July 1961
12	Letter dated 5 September 1964 from the Permanent Representative of Greece addressed to the President of the Security Council and letter dated 8 September 1964 from the Permanent Representative of Greece addressed to the President of the Security Council	1147th, 11 September 1964

Item No. a/	Title	Meeting at which the item was last considered
13	Letter dated 6 September 1964 from the Permanent Representative of Turkey addressed to the President of the Security Council	
15	The situation in the India/Pakistan subcontinent	1621st, 21 December 1971
16	Letter dated 3 December 1971 from the Permanent Representatives of Algeria, Iraq, the Libyan Arab Republic and the People's Democratic Republic of Yemen to the United Nations addressed to the President of the Security Council	1610th, 9 December 1971
17	Complaint by Cuba	1742nd, 18 September 1973
18	Arrangements for the proposed Peace Conference on the Middle East	1760th, 15 December 1973
19	Complaint by Iraq concerning incidents on its frontier with Iran	1770th, 28 May 1974
22	The situation in Timor	1914th, 22 April 1976
23	The Middle East problem including the Palestinian question	2622nd, 11 October 1985
24	The situation in the Comoros	1888th, 6 February 1976
25	Request by the Libyan Arab Republic and Pakistan for consideration of the serious situation arising from recent developments in the occupied Arab territories	1899th, 25 March 1976
27	The question of the exercise by the Palestinian people of its inalienable rights	2220th, 30 April 1980
28	Complaint by the Prime Minister of Mauritius, current Chairman of the Organization of African Unity, of the "act of aggression" by Israel against the Republic of Uganda	1943rd, 14 July 1976
29	Complaint by Greece against Turkey	1953rd, 25 August 1976
30	Complaint by Benin	2049th, 24 November 1977
32	Complaint by Iraq	2288th, 15 June 1981

Item No. a/	Title	Meeting at which the item was last considered
33	Letter dated 19 February 1983 from the Permanent Representative of the Libyan Arab Jamahiriya to the United Nations addressed to the President of the Security Council	2418th, 23 February 1983
34	Letter dated 8 August 1983 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations addressed to the President of the Security Council	2468th, 18 August 1983
35	Letter dated 1 September 1983 from the Acting Permanent Representative of the United States of America to the United Nations addressed to the President of the Security Council	2476th, 12 September 1983
	Letter dated 1 September 1983 from the Permanent Observer for the Republic of Korea to the United Nations addressed to the President of the Security Council	
	Letter dated 1 September 1983 from the Chargé d'affaires a.i. of the Permanent Mission of Canada to the United Nations addressed to the President of the Security Council	
	Letter dated 1 September 1983 from the Permanent Representative of Japan to the United Nations addressed to the President of the Security Council	
	Letter dated 2 September 1983 from the Acting Permanent Representative of Australia to the United Nations addressed to the President of the Security Council	
36	Letter dated 22 March 1984 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations addressed to the President of the Security Council	2526th, 2 April 1984
37	Letter dated 21 May 1984 from the representatives of Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates addressed to the President of the Security Council	2546th, 1 June 1984
38	Letter dated 3 October 1984 from the Permanent Representative of the Lao People's Democratic Republic to the United Nations addressed to the President of the Security Council	2558th, 9 October 1984

Item No. a/	Title	Meeting at which the item was last considered
39	Letter dated 1 October 1985 from the Permanent Representative of Tunisia to the United Nations addressed to the President of the Security Council	2615th, 4 October 1985
40	Letter dated 4 February 1986 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the President of the Security Council	2651st, 4 February 1986
41	Letter dated 25 March 1986 from the Permanent Representative of Malta to the United Nations addressed to the President of the Security Council	2671st, March 1986
	Letter dated 25 March 1986 from the Permanent Representative of the Union of Soviet Socialist Republics to the United Nations addressed to the President of the Security Council	
	Letter dated 26 March 1986 from the Permanent Representative of Iraq to the United Nations addressed to the President of the Security Council	
42	Letter dated 12 April 1986 from the Chargé d'affaires a.i. of the Permanent Mission of Malta to the United Nations addressed to the President of the Security Council	2673rd, 14 April 1986
43	Letter dated 15 April 1986 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations addressed to the President of the Security Council	2674th, 15 April 1986
	Letter dated 15 April 1986 from the Chargé d'affaires a.i. of the Permanent Mission of Burkina Faso to the United Nations addressed to the President of the Security Council	
	Letter dated 15 April 1986 from the Chargé d'affaires a.i. of the Permanent Mission of the Syrian Arab Republic to the United Nations addressed to the President of the Security Council	
	Letter dated 15 April 1986 from the Permanent Representative of Oman to the United Nations addressed to the President of the Security Council	

Item No. a/	Title	Meeting at which the item was last considered
44	Letter dated 10 February 1988 from the Permanent Observer of the Republic of Korea to the United Nations addressed to the President of the Security Council	2691st, 16 February 1988
	Letter dated 10 February 1988 from the Permanent Representative of Japan to the United Nations addressed to the President of the Security Council	
45	Letter dated 19 April 1988 from the Permanent Representative of Tunisia to the United Nations addressed to the President of the Security Council	2807th, 21 April 1988
46	Letter dated 17 December 1988 from the Permanent Representative of Angola to the United Nations addressed to the Secretary-General	2834th, 20 December 1988
	Letter dated 17 December 1988 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General	
47	Letter dated 4 January 1989 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations addressed to the President of the Security Council	2841st, 11 January 1989
	Letter dated 4 January 1989 from the Chargé d'affaires a.i. of the Permanent Mission of Bahrain to the United Nations addressed to the President of the Security Council	
49	Letter dated 2 February 1990 from the Permanent Representative of Cuba to the United Nations addressed to the President of the Security Council	2907th, 9 February 1990
50	United Nations peace-keeping operations	2924th, 30 May 1990

a/ The item numbers refer to the listing of items under paragraph 13 of document S/1996/15.

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1996/603/Corr.1
2 August 1996

ENGLISH ONLY

NOTE BY THE PRESIDENT OF THE SECURITY COUNCIL

Simplification of the list of matters of which the Security Council is seized (rule 11 of the provisional rules of procedure of the Security Council)

Corrigendum

Page 1, paragraph 1

The second sentence should read

That list is contained in the summary statement by the Secretary-General established pursuant to rule 11 of the Council's provisional rules of procedure.

96-19636 (E) 020896 030896

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1996/604
30 July 1996
ENGLISH
ORIGINAL: ENGLISH/FRENCH

NOTE BY THE SECRETARY-GENERAL

The attached communication, dated 29 July 1996, was addressed to the Secretary-General by the Permanent Observer Mission of Switzerland to the United Nations.

96-19290 (E) 300796 300796 310796

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Annex

[Original: French]

Note verbale dated 29 July 1996 from the Permanent Observer Mission of Switzerland to the United Nations addressed to the Secretary-General

The Permanent Observer Mission of Switzerland to the United Nations presents its compliments to the Secretary-General and, following the adoption by the Security Council of resolution 1054 (1996), has the honour to inform him as follows:

Since the Sudan has no diplomatic representation in Switzerland, the Swiss Government did not deem it necessary to take any particular measures in implementation of paragraph 3 (a) of the resolution. With regard to paragraph 3 (b) of the resolution, the Mission requests the Secretariat to refer to its note of 20 May 1996. The Swiss Government has furthermore decided that applications for visas for members of the Permanent Mission of the Republic of the Sudan to the United Nations Office at Geneva and specialized agencies in Switzerland shall be considered favourably only in so far as the applicant is, indeed, replacing another member of the Mission.

UNITED
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General Assembly
Security Council

Distr.
GENERAL

A/50/1014
S/1996/605
30 July 1996

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fiftieth session
Agenda item 81
MAINTENANCE OF INTERNATIONAL SECURITY

SECURITY COUNCIL
Fifty-first year

Letter dated 29 July 1996 from the Permanent Representative of the former Yugoslav Republic of Macedonia to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to transmit to you the aide-mémoire regarding the inappropriate conduct of the Republic of Greece towards the Republic of Macedonia vis-à-vis the Interim Accord of 13 September 1995 between the two countries.

I would be grateful if you would have the text of the present letter and its annex distributed as a document of the General Assembly, under agenda item 81, and of the Security Council.

(Signed) Dr. Denko MALESKI
Ambassador

96-19296 (E) 010896 030896

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ANNEX

Aide-mémoire dated 23 July 1996 regarding the inappropriate conduct of the Republic of Greece towards the Republic of Macedonia vis-à-vis the Interim Accord of 13 September 1995 between the two countries

I

1. During the negotiations and especially at the last round of negotiations, before the initialling of the Cooperation Agreement between the Republic of Macedonia and the European Union (EU), on 20 June 1996 at Brussels, by the European Commission, and under the pressure of the Republic of Greece, the European Commission strongly insisted on the use of the designation of the United Nations in the text of the Agreement. Therefore, our proposal to neutralize the whole text of the Agreement, i.e., instead of the reference "FYROM" to use "Contracting State", with a footnote that that referred to the country which had been admitted to membership of the United Nations by General Assembly resolution 47/225 of 8 April 1993, was not accepted. We explained that we had suggested this, with the purpose that such a neutralized text would be most acceptable for the European Commission, taking into consideration that Greece was a member of the EU, and at the same time that such a text was most suitable for ratification in our Parliament. However, owing to the obstruction of Greece, the Agreement, on the insistence of the European Commission, was initialled by way of an exchange of letters. Our letter explained that we accepted the agreed text but we did not accept the reference for our country, since our constitutional name is the "Republic of Macedonia". Greece made an attempt to obstruct this form and thus postpone the initialling of the Agreement; however, we still managed to reach a mutual solution.

2. In connection with the regulation of trade in some products, in one part of the Agreement, where there is specific documentation and where the countries are identified by two letters, we suggested that our country be identified by the letters "MK". Under the pressure of Greece the European Commission did not accept our proposal; therefore a numerical identification for the trade in those products with EU member States was agreed, i.e., all countries, including our country as well, were to be indicated by numbers. This represented an exception from the already accepted international code for our country (MK) in several international systems where such an identification is essential (Vienna Transport Convention, International Organization for Standardization, Internet, etc.).

3. Greece exerted strong pressure through the European Commission with regard to the mention of the Macedonian language in the text of the Agreement; thus it was stated in the relevant article that the Agreement had been drawn up in all the official languages of the Contracting Parties.

4. Besides the temporary disrespect of the provisions of the Interim Accord signed on 13 September 1995 in New York, which represented a first step towards regulating the relations between the Republic of Macedonia and Greece, and regulation of the relations with the EU, the European Commission suggested in

the preamble to the Cooperation Agreement that the Interim Accord be set up as a factor for regional stability which favoured the relations of cooperation between the Republic of Macedonia and Greece.

With the above-mentioned activities and measures, Greece managed to complicate the initialling of the Cooperation Agreement with the EU, which may be an indication that it would continue similar activities during the implementation of the Agreement, due to start on 1 January 1997.

II

1. We have been informed through the Liaison Office of the Republic of Macedonia in Athens and the Chamber of Commerce of the Republic of Macedonia that from time to time, in particular cases, the Greek Customs has not accepted the certificate of origin of goods from Macedonia, EUR-1, although this issue had been regulated with the practical measures completed according to article 5 of the Interim Accord as well as with EU Regulation No. 343/92 (Official Journal I, 38/92). This hampered the preferential treatment of particular goods entering the EU.

2. On 17 July 1996, the aeroplane of the Macedonian airline company "Palor Macedonian" was held for several hours at the Corfu airport in Greece and the word "Macedonian" was painted over. This act of the Greek authorities was not in accordance with the provisions of the Interim Accord (article 8) and did not reflect the spirit of the confidence-building measures between the two countries.

3. Citizens of the Republic of Macedonia who were born in Greece cannot travel to Greece because the Greek authorities do not issue visas for them. This is contrary to international norms and regulations, as well as the provisions of the EU for the free movement of persons.

III

The Conference of Foreign Ministers of Countries of South-eastern Europe, which was held recently at Sofia without the presence of Macedonia, opened several issues regarding the implementation of the Macedonian-Greek Interim Accord of 13 September 1995.

During the preparations, the Macedonian side made efforts to prevent what actually happened at the meeting: the absence of one of the two parties. Taking into consideration the understandable problems on the Greek side caused by the convening of the meeting in a country which had recognized Macedonia under its constitutional name, with the aim of the successful realization of this regional initiative, the Macedonian delegation pointed this out and offered a solution in the spirit of the Interim Accord, namely, giving up the possibility of insisting on the use of the name "Republic of Macedonia". This was offered in all segments where this issue occurred so as to avoid the use of names of countries. Instead, it was proposed that the names of the Foreign Ministers be used.

The Greek side had accepted this solution at the preparatory meeting held on 3 May 1996, as had the other countries, also owing to the fact that a similar formula had been applied at the previous Balkan meetings (Belgrade 1988, and Tirana 1990).

At the last preparatory meeting, held on 5 July 1996, the Greek side first refused participation in the preparatory meeting if the Macedonian delegation did not agree to use the aforementioned reference, and subsequently rejected any contact with the Macedonian delegation.

Owing to the fact that the host had decided to use the reference in a case of disagreement, the Macedonian delegation was practically forced to leave the preparatory meeting and not to take part in the Ministerial Conference.

With regard to the Interim Accord, we consider that the following provisions have been breached:

(a) The spirit of the Interim Accord, in the first preambular paragraph of which the same formula is applied: the names of the Ministers without the corresponding country names; further, the terms "Party of the First" and "Party of the Second" are applied;

(b) Article 5 (2), in which it is anticipated that, taking into consideration the difference regarding the name, both parties shall cooperate and seek practical measures, so that the difference shall not present an obstacle;

(c) Article 8 (2), which provides for the possibility of requesting the good offices of the European Union and the United States of America, was not utilized;

(d) Article 11 (1), under which both parties are obliged not to raise objections to membership in regional institutions. Also, Greece departed from the reference contained in Security Council resolution 817 (1993) by using the abbreviation "FYROM", which is not contained in that resolution;

(e) Article 21 (2), which anticipates the settlement of disputes by peaceful means only; in the given situation an ultimatum was presented stipulating that either the reference should be accepted or Greece would not take part in the meeting;

(f) Article 22, which anticipates that the Interim Accord is not directed against another country, i.e., against relations with a third country; in this case it resulted in the non-observance of the Macedonian-Bulgarian agreements according to which Bulgaria (as well as a number of other participating countries) shall use the constitutional name of the Republic of Macedonia.

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1996/606
30 July 1996
ENGLISH
ORIGINAL: ENGLISH AND FRENCH

LETTER DATED 26 JULY 1996 FROM THE PERMANENT REPRESENTATIVES OF FRANCE, THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE UNITED STATES OF AMERICA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

We have the honour to transmit to you the attached letter addressed to Ambassador Zbigniew Wlosowicz, Chairman of the Security Council Committee established pursuant to resolution 748 (1992) concerning the Libyan Arab Jamahiriya, concerning measures to strengthen the impact of existing sanctions on Libya.

May we ask you for your kind assistance in circulating this statement as a document of the Security Council.

(Signed) Alain DEJAMMET
Permanent Representative of
France to the United Nations

(Signed) John WESTON
Permanent Representative of the
United Kingdom of Great Britain
and Northern Ireland to the
United Nations

(Signed) Madeleine K. ALBRIGHT
Permanent Representative of the United
States of America to the United Nations

96-19308 (E) 300796 310796

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Annex

(Original: English and French)

Letter dated 19 July 1996 from the Permanent Representatives of France, the United Kingdom of Great Britain and Northern Ireland and the United States of America to the United Nations addressed to the Chairman of the Security Council Committee established pursuant to resolution 748 (1992) concerning the Libyan Arab Jamahiriya

On the occasion of the review of Libyan sanctions on 21 March 1996, France, the United Kingdom and the United States said in a joint statement that they wished to "carry out an early and thorough review of the implementation of the provisions contained in those resolutions (i.e., United Nations Security Council resolutions 731, 748 and 883) with a view to identifying measures to strengthen the impact of existing sanctions on Libya through their full and rigorous application. They intend to report to the Sanctions Committee the conclusions of these consultations where they fall within the framework of the sanctions agreed by the Security Council."

France, the United Kingdom and the United States wish to convey to the Security Council Committee established pursuant to resolution 748 (1992) concerning the Libyan Arab Jamahiriya the results of the consultations between the three Governments regarding enforcement of sanctions against Libya.

Inquiries by the three Governments have revealed that in certain cities the number of diplomats stationed at Libyan diplomatic missions has increased since 1993, in violation of resolutions 748 (1992) and 883 (1993). These cities include: Bamako; Bangui; Beijing; Beirut; N'Djamena; and Sana'a. Our inquiries also concluded that in certain cities, including Amman and Cairo, offices of Libyan Arab Airlines (LAA) remain open and staffed, in contravention of paragraph 6 (b) of resolution 748 (1992), which states that "United Nations Member States shall prevent the operation of all Libyan airline offices", and paragraph 6 (a) of United Nations Security Council resolution 883 (1993), which requires "the immediate and complete closure of all Libyan airline offices within their (Member States') territories". There is no justification for such offices to remain open. The Governments of France, the United Kingdom and the United States have verified these facts with their Embassies and United Nations Permanent Missions and are providing this information to the Committee in the hope that the Member States involved will take the appropriate action to implement resolution 748 (1992).

According to information furnished by the Secretariat, there are still a large number of countries that have not responded to paragraph 9 (b) of United Nations Security Council resolution 748 (1992) by informing the Secretary-General of measures they have taken to comply with the resolution, and a larger number who have not responded to the similar order in paragraph 13 of resolution 883 (1993). The three Governments suggest that these Member States should be given until the end of August to comply with their obligations. After this

point, the Sanctions Committee will be requested to send letters reminding those who have not complied, urging them to do so.

A number of Governments have observed that there is a need for a mechanism whereby companies with legitimate operations in Libya may transfer funds into Libya to pay the expenses of such businesses, subject to the stipulations of paragraphs 3 and 4 of resolution 883 (1993) and with appropriate monitoring by national sanctions enforcement agencies. The Governments of France, the United Kingdom and the United States wish to recommend that the Sanctions Committee approve such a mechanism to ensure faithful compliance by all States with resolution 883 (1993) and provide appropriate guidance. The three Governments also recommend that the Committee should further assist States in their efforts to implement rigorously the mandatory sanctions against Libya through the issuance of guidance on the payment of post-zero debts in Member States, payments made following calls on guarantees (performance bonds) relating to contracts with Libyan buyers, and on reinsurance. Suggested guidance on these matters is attached.

Finally, the three Governments wish to remind Member States that they have an obligation to take practical action under paragraph 6 (c) of Security Council resolution 748 (1992) which requires States to "take all appropriate steps to deny entry to or expel Libyan nationals who have been denied entry to or expelled from other States because of their involvement in terrorist activities", making it difficult for such persons to travel internationally.

(Signed) Alain DEJAMMET
Permanent Representative of
France to the United Nations

(Signed) John WESTON
Permanent Representative of the
United Kingdom of Great Britain
and Northern Ireland to the
United Nations

(Signed) Madeleine K. ALBRIGHT
Permanent Representative of the United
States of America to the United Nations

Enclosure

Draft Statement on Legitimate Business Operations in Libya, Payment of Post-zero Debts, Reinsurance and Bonds

The Sanctions Committee notes that the enforcement of sanctions is the responsibility of the national enforcement authorities of Member States.

1. Payment to fund legitimate business operations in Libya:

1.1. The Sanctions Committee notes that movements of funds through frozen accounts are permitted to transfer monies to Libya to fund legitimate business operations in Libya by non-Libyan entities, as long as these movements are made in accordance with the stipulations of paragraphs 3 and 4 of United Nations Security Council resolution 883 (1993).

1.2. Such funds would be credited to a frozen account in the Member States in the first instance. When presented with evidence that the corresponding amount has been credited to the beneficiary's account and was available to fund non-Libyan entities' legitimate activities in Libya, national enforcement authorities would give permission for the funds credited in the frozen account to be released for any legitimate payment in a Member State.

2. Payment of post-zero debts:

2.1. Any mechanism deemed appropriate and practical by national enforcement authorities to facilitate the payment of Libyan debts arising after 1 December 1993 (e.g. housekeeping expenses and taxes) payable in Member States must be in accordance with the stipulations of paragraphs 3 and 4 of United Nations Security Council resolution 883 (1993).

2.2. Such payments in Member States should be made from funds in free accounts. The availability of the proceeds of sales of oil and agricultural products since 1 December 1993 in such accounts means that there is no need for special application to national enforcement authorities in order to make payments from frozen accounts.

3. Reinsurance:

3.1. The Committee notes that reinsurance of Libyan risk is not prohibited by United Nations Security Council resolution 883 (1993). Transactions related to reinsurance business must be in accordance with the stipulations of paragraphs 3 and 4 of resolution 883 (1993).

3.2. The following guidance will ensure strict controls on funds between LIC and the reinsurance sector:

- All those involved in the reinsurance business must ensure that money received from the Libyan Insurance Company (LIC) in respect of premiums or any other payment is from funds specified in paragraph 4 of resolution 883 (1993);

- Premiums must be received from LIC before any payments are made in the internal market (e.g. brokers must have the sum from LIC in hand before making premium payments to underwriters). This prevents funding on behalf of LIC;

- Any payment of claim arising from reinsurance, to be made to or on behalf of a Libyan undertaking (as defined in paragraph 3 (b) of resolution 883 (1993)) must be paid into an account which is blocked for the duration of the sanctions;

- In a certain class of reinsurance business, the proportional treaties, LIC may in the normal course of the treaty regularly present single transactions for settlement which represent the net balance of the business in the given period. This is inherent in the basis of the treaty and is considered permissible;

- Any offset by the broker or reinsurer between premiums and claims is not permissible nor is the rollover into the next period of balances outstanding in the current period.

3.3. By maintaining a strict separation of the funds payable by LIC (from external funds) and the payment of any claims due to LIC (into blocked account), the service of reinsurance may properly be supplied in accordance with resolution 883 (1993).

4. Bonds:

4.1. The Sanctions Committee notes that in the case of most bonds and guarantees such as tender bonds and performance bonds, any payment due to Libya as a result of a call should be made only to a blocked account. However, there is one exception: if States are satisfied that a payment under a contract with a Libyan buyer was paid from funds derived from the sale of petroleum in accordance with the provisions of paragraph 4 of resolution 883 (1993), then any call on a guarantee relating to this contract may be met by payment to the account from which the initial payment was made as long as either no work has been done on the contract or the amount of the call excludes the value of any work that has been done, and in any event the amount in question is no greater than the amount of the payment already made.

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S/1996/607
31 July 1996

ORIGINAL: ENGLISH

LETTER DATED 30 JULY 1996 FROM THE PERMANENT REPRESENTATIVE OF UZBEKISTAN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith a letter dated 23 July 1996 addressed to you by His Excellency Mr. Islam Karimov, President of the Republic of Uzbekistan, concerning the present situation in Afghanistan.

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the Security Council.

(Signed) Fatikh TESHABAEV
Ambassador
Permanent Representative

96-19353 (E) 310796 310796 010896

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Annex

[Original: Russian]

Letter dated 23 July 1996 from the President of the Republic of Uzbekistan addressed to the President of the Security Council

Allow me to draw your attention to one of today's most urgent problems - the ongoing war in Afghanistan. I have raised this problem on a number of occasions, including at sessions of the General Assembly.

Lately, the situation in Afghanistan and around it is taking a particularly dangerous turn. The real victim of these bloody events is, first and foremost, the Afghan people, which continues to suffer from the endless devastation and violence. The fact that, since the outbreak of the war, more than one million civilians have died and millions have become refugees is an indication of the magnitude of the tragedy.

Today it is absolutely insufficient to concentrate only on the need for national reconciliation within Afghanistan as the principal means of a settlement. We are deeply convinced that questions relating to the search for a constructive solution of the Afghan problem should today be the centre of attention of the international community and the Security Council and should become a concrete object of the world Powers' attention.

The drug trafficking, terrorism, violence and arms trafficking that have accompanied the Afghan crisis, and the fact that a whole generation of Afghans has no idea of what peaceful life and creativity are, are all parts of a universal problem.

In its initiative on the imposition of an arms embargo against Afghanistan at the fiftieth session of the General Assembly, Uzbekistan considered that a principled decision by the Security Council on this question would reflect the international community's solemn determination to put an end to the many years of war in that country. Unfortunately, today we must state that arms deliveries to Afghanistan are not decreasing; on the contrary, they are becoming even more numerous.

Uzbekistan highly appreciates the efforts of the United Nations and the Security Council to find ways of settling the conflict in Afghanistan and today believes that it has the right to call upon the international community and the leading Powers to pay special attention to the Afghan problem.

Today it is quite clear that the imposition of a general and complete arms embargo against Afghanistan must become an indispensable condition for ending the conflict in Afghanistan. I should like to mention, in particular, that preliminary consultations with the members of the Security Council, the States of the region and the heads of the European Union indicate that they recognize the need for the imposition of an arms embargo against Afghanistan.

I am relying on your support and assistance in the consideration of this question at a meeting of the Security Council and in the adoption of a relevant resolution. It is our firm conviction that such a decision will help strengthen peace and stability not only in the region but also throughout the world.

The draft Security Council resolution will be submitted in accordance with the existing procedure by Uzbekistan and Pakistan.

(Signed) Islam KARIMOV
President of the Republic of Uzbekistan

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GENERAL

A/51/259
S/1996/608
31 July 1996

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-first session
Item 43 of the provisional agenda*
THE SITUATION IN BURUNDI

SECURITY COUNCIL
Fifty-first year

Letter dated 26 July 1996 from the Permanent Representative of Ireland to the United Nations addressed to the Secretary-General

I have the honour to transmit to you herewith a statement that was today issued by the Presidency on behalf of the European Union on Burundi (see annex).

I would be grateful if you could have the text of the present letter and its annex circulated as an official document of the General Assembly, under item 43 of the provisional agenda, and of the Security Council.

(Signed) John H. F. CAMPBELL
Ambassador
Permanent Representative

* A/51/150.

96-19384 (E) 310796 010896

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ANNEX

[Original: English and French]

Statement issued on 26 July 1996 by the Presidency on behalf of the European Union on Burundi

The European Union shares the deep concern of the Secretary-General of the United Nations, and others about yesterday's military coup d'état in Burundi. The Union urges all sides to avoid recourse to violence and to take all steps to resolve the crisis by exclusively peaceful means.

The Union believes that the main immediate priority is the humanitarian situation. There must be no further loss of life.

An immediate beginning of a national debate is essential, leading to a real process of national reconciliation, founded on democracy and security for all sections of society.

In this regard, the European Union commends the efforts of former President Nyerere and regional leaders to broker an all-inclusive, negotiated settlement in Burundi, in peaceful conditions, and urges them to examine the possibility of continuing their efforts in this respect.

The European Union reiterates its firm commitment to the re-establishment of peace in Burundi. The Union is following developments in the country closely, in active consultation with partners in the United Nations, with the Organization of African Unity and others, towards the goal of restoring peace and security in Burundi. The Special Envoy of the European Union, Mr. Ajello, who is in the region, is actively assisting in this process.

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S/1996/609
31 July 1996
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 30 JULY 1996 FROM THE PERMANENT REPRESENTATIVE OF THE LIBYAN ARAB JAMAHIRIYA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On 28 July 1996, speaking to a gathering of war veterans, President Bill Clinton urged the international community to impose strict sanctions on Libya and a number of other countries, claiming that they are States that sponsor terrorism.

The United States President's grave allegation against the Jamahiriya, made randomly and without grounds or evidence, is such as to mar the Jamahiriya's reputation with the international community and impede the progress of international relations. This is happening at a time when the Jamahiriya is reiterating its condemnation of terrorism in all its forms and is constantly affirming its commitment to cooperating with the international community in combating this loathsome phenomenon, one from whose evils the Jamahiriya itself has not been safe. The Jamahiriya has in the past challenged the allegations made by the United States and has requested the Secretary-General of the United Nations to send a mission to verify that there are no activities in Libyan territory that can be alleged to have any link with terrorism. Regrettably, however, it is the United States itself that has persisted in obstructing the dispatch of such a mission so that it can go on repeating its inimical allegations from time to time and find justification for the maintenance of the sanctions imposed on the Jamahiriya.

The Jamahiriya categorically rejects these accusations because they are unsupported by any evidence. It would like to put an end to claims that are intended only to be used for purposes of blackmail, to mar the reputation of the Jamahiriya and to seek a scapegoat for the inability of the United States Administration to cope with mounting domestic terrorism. It calls upon the Security Council to convene an urgent meeting, in accordance with Article 35, paragraph 1, of the Charter of the United Nations, in order to consider a situation that continues to endanger international peace and security and to hear the position of the Jamahiriya with respect to the problem of terrorism and ascertain its readiness to implement the measures that the international community deems necessary in order to combat this loathsome global phenomenon.

(Signed) Mohamed A. AZWAI
Permanent Representative

96-19426 (E) 310796 310796 010896

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Security Council

Distr.
GENERAL

S/1996/610
31 July 1996
ENGLISH
ORIGINAL: ARABIC

IDENTICAL LETTERS DATED 31 JULY 1996 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL AND TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to inform you that at 4.30 p.m. on 24 July 1996 a United States warplane dropped a heat flare on the Nasiriyah consolidated reservoir project in the Bad'ah area, which is in the Shatrah district of Dhi Qar Governorate in southern Iraq. The project supplies water to the local population.

My Government condemns this unwarranted and barbaric act committed by United States warplanes against civilian installations of a humanitarian character serving the civilian population of southern Iraq. It urges you to intervene with the Government of the United States of America with a view to halting and preventing any repetition of hostile acts in flagrant violation of the Charter of the United Nations and international law that are being committed by a State that is a permanent member of the Security Council against another Member State of the United Nations whose sovereignty, security and territorial integrity are thereby threatened and whose civilian population is thereby left in a state of alarm.

I also affirm the legally established right of the Republic of Iraq to seek compensation for the material and other damage caused by such acts of aggression to its civilian installations and to its citizens, in accordance with the principle of international responsibility.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

96-19432 (E) 010896 010896 020896

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1996/611
31 July 1996

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL PURSUANT TO PARAGRAPH 8 OF SECURITY COUNCIL RESOLUTION 748 (1992) CONCERNING THE LIBYAN ARAB JAMAHIRIYA

Since the issuance by the Secretary-General, on 19 August 1992 (S/23992/Add.2), of the second addendum to his report dated 22 May 1992 on the implementation of paragraph 8 of Security Council resolution 748 (1992) and in response to his recent note verbale of 22 January 1996, 10 more replies have been received, bringing to 94 the total number of replies received as at 31 July 1996. Each of the replies has been issued as a document of the Security Council in the chronological order of the communications, as indicated below:

Trinidad and Tobago	30 July 1992	S/24374
Burkina Faso	7 August 1992	S/24465
Bahamas	18 August 1992	S/24468
Grenada	20 August 1992	S/24485
Pakistan	21 December 1992	S/24972
Ecuador	27 February 1996	S/1996/161
Israel	6 March 1996	S/1996/199
Liechtenstein	11 March 1996	S/1996/200
Colombia	3 April 1996	S/1996/289
El Salvador	5 June 1996	S/1996/422

96-19414 (E) 310796 010896

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Security Council

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GENERAL

S/1996/612
31 July 1996

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL PURSUANT TO PARAGRAPH 13 OF SECURITY COUNCIL RESOLUTION 883 (1993) CONCERNING THE LIBYAN ARAB JAMAHIRIYA

Since the issuance by the Secretary-General, on 24 May 1994 (S/1994/99/Add.2), of the second addendum to his report dated 28 January 1994 on the implementation of paragraph 13 of Security Council resolution 883 (1993) and in response to his recent note verbale of 22 January 1996, 6 more replies have been received, bringing to 46 the total number of replies received as at 31 July 1996. Each of the replies has been issued as a document of the Security Council in the chronological order of the communications, as indicated below:

Mexico	30 June 1994	S/1994/790
Ecuador	27 February 1996	S/1996/161
Israel	6 March 1996	S/1996/199
Liechtenstein	11 March 1996	S/1996/200
Colombia	3 April 1996	S/1996/289
El Salvador	5 June 1996	S/1996/422

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General Assembly
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Distr.
GENERAL

A/50/1015
S/1996/613
1 August 1996

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fiftieth session
Agenda item 55
QUESTION OF CYPRUS

SECURITY COUNCIL
Fifty-first year

Letter dated 29 July 1996 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 29 July 1996 addressed to you by His Excellency Mr. Osman Ertuğ, representative of the Turkish Republic of Northern Cyprus (see annex).

I should be grateful if the text of the present letter and its annex could be circulated as a document of the fiftieth session of the General Assembly, under agenda item 55, and of the Security Council.

(Signed) Hüseyin E. ÇELEM
Ambassador
Permanent Representative

96-19501 (E) 020896 060896

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ANNEX

Letter dated 29 July 1996 from Mr. Osman Ertuğ
addressed to the Secretary-General

Upon instructions from my Government, I have the honour to refer to the letters dated 15 and 19 July 1996 addressed to you by the Greek Cypriot Chargé d'affaires at the United Nations, which contains allegations regarding "violations of the airspace of the Republic" (A/50/999-S/1996/554 dated 16 July 1996 and A/50/1007-S/1996/571 dated 19 July 1996, respectively).

I would like to recall that previous similar allegations on "airspace violations" were rejected in toto in my successive communications addressed to you, most recently in my letter dated 12 July 1996 (A/50/1010-S/1996/579, annex). Since the present Greek Cypriot charges are no different or credible than those previously made, they do not merit a detailed reply. I wish to reiterate briefly, however, that flights within the airspace of the Turkish Republic of Northern Cyprus take place with the full knowledge and consent of the appropriate authorities of the Turkish Republic of Northern Cyprus over which the usurper Greek Cypriot regime in the south has no jurisdiction or right of say whatsoever.

The aim of the Greek Cypriot administration in making these allegations is, as I have repeatedly pointed out, to uphold the myth that it has sovereignty over the whole island and to provide a smokescreen for its intensive militarization campaign in south Cyprus. As part of the implementation of the so-called "joint defence doctrine" with Greece, the Greek Cypriot side has recently stepped up its strategy of military escalation, thereby raising tensions in the island. Having held with Greece the provocative military exercises codenamed "Toxotis" (Bow) as recently as the previous month, the Greek Cypriot administration is now planning for another round of joint military exercises in the fall of 1996. It has been reported in the Greek Cypriot press of 23 July 1996 that, within this context, the Greek Cypriot administration will be staging joint manoeuvres codenamed "Nikiforos-96", which will coincide with the visit to south Cyprus of the Greek Prime Minister, Mr. Costas Simitis, who will be accompanied by the Greek Foreign and Defence Ministers, Messrs. Pangalos and Arsenis, respectively.

Furthermore, according to recent Greek Cypriot press reports, yet another shipment of military equipment containing 35 American-made M48A5 tanks, 15 Greek-made Leonidas armoured personnel carriers and other military hardware arrived on the island on 24 May 1996 from Greece. Further reports suggest that an additional 50 Russian-made T80Y tanks and 50 French-made AMX-30B2 main battle tanks donated by Greece will be arriving in southern Cyprus soon.

The Greek Cypriot side, which is currently spending in excess of $2 million a day on its rearmament campaign, is, in an incredible display of hypocrisy, calling for demilitarization. Such Byzantine tactics only serve to hamper the ongoing efforts to find a mutually acceptable solution to the Cyprus question as they further deepen the profound misgivings of the Turkish Cypriot side regarding Greek Cypriot intentions. It is clear that, if the conditions

necessary for a negotiated settlement of the Cyprus question are to be established, the Greek Cypriot side must be dissuaded from continuing this confrontational posture and persuaded to return to the negotiating table. I hope and trust that the international community will use its influence on the Greek Cypriot side in this respect, in the interest of a peaceful solution in Cyprus.

I should be grateful if the text of the present letter could be circulated as a document of the General Assembly, under agenda item 55, and of the Security Council.

(Signed) Osman ERTUĞ
Representative
Turkish Republic of Northern Cyprus

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Distr.
GENERAL

A/50/1016
S/1996/614
1 August 1996

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fiftieth session
Agenda item 55
QUESTION OF CYPRUS

SECURITY COUNCIL
Fifty-first year

Letter dated 31 July 1996 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 30 July 1996, addressed to you by His Excellency Mr. Osman Ertuğ, representative of the Turkish Republic of Northern Cyprus (see annex).

I should be grateful if the text of the present letter and its annex could be circulated as a document of the fiftieth session of the General Assembly, under agenda item 55, and of the Security Council.

(Signed) Hüseyin E. ÇELEM
Ambassador
Permanent Representative

ANNEX

Letter dated 30 July 1996 from Mr. Osman Ertuğ
addressed to the Secretary-General

Upon instructions from my Government, I have the honour to refer to the letter dated 22 July 1996 addressed to you by the Greek Cypriot Chargé d'affaires a.i. at the United Nations in connection with the visit to the Turkish Republic of Northern Cyprus of His Excellency Necmettin Erbakan, the Prime Minister of Turkey, with a delegation of Turkish dignitaries (A/50/1013-S/1996/590 dated 23 July 1996). The visit took place at the invitation of the Turkish Republic of Northern Cyprus, on the occasion of the 20 July Peace and Freedom Day celebrations.

I wish to stress, at the outset, that the relations between Turkey and the Turkish Republic of Northern Cyprus are deeply rooted in a common history, culture and kinship and are based on reciprocal recognition and mutual respect between two independent States. These relations have not only withstood the vicissitudes of time and circumstance, but have also strengthened in the face of the decades long campaign of the Greek Cypriot side, in collaboration with Greece to make Cyprus a Greek province (enosis). This armed campaign, which had started in the mid-1950s and resurged in 1963, finally culminated in the Greek Junta's coup d'état of 15 July 1974 against the regime of the late Archbishop Makarios, who was overthrown by the Junta for acting slow on the question of enosis.

Turkey had to intervene on 20 July 1974 in order to rescue the beleaguered Turkish Cypriots, who had been subjected to a severe campaign of ethnic cleansing in the preceding 11 years, and faced certain extermination at the hands of the invading Greek army and its proxies in Cyprus during the coup d'état (see Archbishop Makarios' statement openly accusing Greece of invading Cyprus, contained in the verbatim record of the 1780th meeting of the Security Council (S/PV.1780 of 19 July 1974)).

Turkey's legitimate intervention, undertaken in accordance with the Treaty of Guarantee of 1960, saved the Turkish Cypriots from final extermination, stopped the killing of Greek by Greek during the coup d'état, protected the binational independence of Cyprus and led to the downfall of the military junta in Greece. It also laid the foundation for a just and durable settlement of the Cyprus question on a bicommunal, bizonal federal basis.

The Turkish Cypriots have since celebrated the anniversary of this historic turning point in their struggle for survival, freedom and dignity, which they appropriately call Peace and Freedom Day. As an expression of their gratitude to Turkey, which has sacrificed its sons so that the Turkish Cypriots may live in security, freedom and peace, they have always invited Turkish officials to share with them this most significant moment in their history, which, as an equal people in Cyprus with their own independent, sovereign State, it is clearly their prerogative to do, as it is to invite whoever they chose to visit the Turkish Republic of Northern Cyprus.

Prime Minister Erbakan's visit to the Turkish Republic of Northern Cyprus with other high-level Turkish officials on the above occasion, in the context of the special relations that exist between the two countries, is symbolic of Turkey's continuing commitment to the security and well-being of the Turkish Cypriot people. At the same time, Turkey's presence in Cyprus as a Guarantor Power is an asset for a peaceful solution, evidenced by the fact that it has preserved peace and stability in the island in the last 22 years. Within this spirit Prime Minister Erbakan's message during his visit was one of reconciliation, peace and friendship between the two peoples of the island. The Greek Cypriot side's protestations over this visit, therefore, are totally unwarranted and emanate from its unfounded claim to be the sole sovereign authority over the whole island, which is the real provocation and an impediment to a peaceful solution.

It is ironic that the same Greek Cypriot administration, which criticizes visits by Turkish officials to the Turkish Republic of Northern Cyprus, has not only frequently hosted officials from Greece in the past, but is currently preparing to host none other than Mr. Costas Simitis, the Prime Minister of Greece. It is reported that he will be accompanied by a high-level delegation including the Greek Foreign and Defence Ministers. The visit is planned for 28 September-1 October 1996 on the occasion of the so-called "Cyprus Independence Day", which itself is a historical fallacy.

It is our strongly held view that rather than trying to create a furor over matters which are strictly within the purview of each national people in Cyprus and their respective independent States, the Greek Cypriot side would do well to engage the Turkish Cypriot side in negotiations for a peaceful resolution of the Cyprus question. As is known, President Denktaş has recently sent an invitation to Mr. Glafcos Clerides, the leader of the Greek Cypriot community, to meet with him and try to resolve the Cyprus issue through dialogue and negotiation. It is hoped that Mr. Clerides will reconsider his decision not to accept President Denktaş's peace offer, and adopt a positive approach to direct negotiation for a just and lasting settlement.

I should be grateful if the present letter could be circulated as a document of the General Assembly, under agenda item 55, and of the Security Council.

(Signed) Osman ERTUĞ
Representative
Turkish Republic of Northern Cyprus

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Security Council

Distr.
GENERAL

S/1996/615
1 August 1996

ORIGINAL: ENGLISH

NOTE VERBALE DATED 31 JULY 1996 FROM THE PERMANENT REPRESENTATIVE OF IRELAND TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Representative of Ireland to the United Nations presents his compliments to the Secretary-General and has the honour to inform the Secretary-General of the measures taken in compliance with paragraph 3 of Security Council resolution 1054 (1996) of 26 April 1996 concerning the Sudan.

The Government of Ireland, pursuant to paragraph 3 (b) of resolution 1054 (1996), has taken the necessary measures to restrict the entry into or transit through its territory of members of the Government of the Sudan, officials of that Government and members of the Sudanese armed forces.

Ireland has no diplomatic mission in the Sudan nor does the Sudan have an embassy in Ireland. The terms of paragraph 3 (a) of resolution 1054 (1996) do not therefore apply.

96-19543 (E) 010896 020896

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Distr.
GENERAL

S/1996/616
1 August 1996

ORIGINAL: ENGLISH

LETTER DATED 31 JULY 1996 FROM THE PERMANENT REPRESENTATIVE OF THE ISLAMIC REPUBLIC OF IRAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

Upon instruction from my Government, and with reference to the letter dated 30 June 1996 from the Foreign Minister of Iraq contained in Security Council document S/1996/514, I have the honour to state the following.

Iraq's sermon about the need for closing the gap between provisions of international law and their application and for the promotion of respect for international humanitarian law sounds good, however disingenuous in the light of its record. Iraq's actions since 1980, including its action concerning the prisoners of war which is in breach of 1949 Geneva Convention Relative to the Treatment of Prisoners of War speak louder than Iraq's words in the letter of its Foreign Minister contained in Security Council document S/1996/514.

Iraq's adoption of a superfluous high moral ground cannot conceal its glaring violations of the 1949 Geneva Convention Relative to the Treatment of Prisoners of War. It continues to hold a large number of Iranian prisoners of war incommunicado and in secret camps and, worse, it persists in denying holding any Iranian prisoners of war despite a large body of irrefutable and material evidence to the contrary. As early as 14 September 1995, an agreement was signed at Tehran by the representatives of both Governments in the form of an agreed minute to exchange the complete lists of prisoners of war as the first step towards ending the untold suffering of the remaining prisoners of war. However, again the Government of Iraq practically blocked the implementation of the agreement by procrastination and inaction.

A retrospective look at Iraq's record vis-à-vis the prisoners of war may shed some light on its present stance on the issue. It may be recalled that following the cease-fire when the process of repatriation started, the Government of Iraq astonished the international community and the International Committee of the Red Cross (ICRC) by the disclosure that it had held more than 20,000 Iranian prisoners of war in secret camps away from ICRC - some for nearly eight years - in clear violation of the registration requirement of the prisoners of war under the Convention.

Such a flagrant violation was revealed at a time when, just like today, Iraq claimed full cooperation with ICRC on the one hand and respect for the rules of international humanitarian law on the other. The Government of the Islamic Republic of Iran believes that neither the practice nor the rhetoric of the Government of Iraq in respect of prisoners of war has changed. Iraq continues to hold Iranian prisoners of war in secret camps, and like before, away from ICRC. Iraq is under international obligation to waste no time in registering the remaining Iranian prisoners of war about whose detention in Iraq ample evidence exists, and for providing that list to the Iranian authorities as agreed upon at Tehran on 14 September 1995, and thereby paving the way for a final solution to this outstanding and sad humanitarian issue. For a detailed position of the Islamic Republic of Iran on this issue attention is drawn to the note verbale dated 1 February 1995 from the Ministry of Foreign Affairs of the Islamic Republic of Iran addressed to ICRC.

It would be highly appreciated if this letter were circulated as a document of the Security Council.

(Signed) Kamal KHARRAZI
Ambassador
Permanent Representative

UNITED
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Security Council

Distr.
GENERAL

S/1996/617
1 August 1996
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 1 AUGUST 1996 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

Acting on instructions from my Government, I have the honour to transmit to you herewith the text of a letter dated 31 July 1996 from Mr. Mohamed Saïd Al-Sahaf, Minister for Foreign Affairs of the Republic of Iraq, concerning Iranian aggressions against Iraq.

I should be grateful if you would have the text of this letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

96-19557 (E) 010896 010896 020896

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ANNEX

Letter dated 31 July 1996 from the Minister for Foreign Affairs of Iraq addressed to the Secretary-General

I should like to inform you that the Republic of Iraq has been the victim of the following aggressions perpetrated by Iranian armed forces:

1. In the night of 26 to 27 July 1996, a unit of Iranian revolutionary guards estimated at approximately 3,000 armed men, travelling in more than 100 vehicles of various types equipped with heavy weapons and munitions, infiltrated into Iraqi territory in the Governorate of Sulaymaniyah and headed towards the town of Koi Sanjaq.

2. On 28 July 1996, at 6 a.m., Iranian forces occupied Mount Haybat Sultan and roads leading to the town of Koi Sanjaq and engaged in heavy artillery shelling of certain civilian Iraqi areas within the sectors of Koi Sanjaq and Taqtaq. A number of civilians were killed or wounded and there was substantial material damage to civilian property, both public and private, in those sectors.

This blatant and unjustified Iranian aggression constitutes a flagrant violation of the will of the international community as expressed in Security Council resolution 598 (1987) which established a cease-fire between the two countries, and a flagrant breach of the provisions of the Charter of the United Nations and of the principles of international law.

The Government of the Republic of Iraq, rejecting any justification of this blatant aggression, demands that the Iranian Government should immediately withdraw its forces from Iraqi territory and stop these acts of provocation which flout the principles of good-neighbourliness and are in contradiction with the statements made by the Iranian party, claiming that it wishes to settle the outstanding problems between the two countries, to normalize relations between them and to respect the unity, sovereignty and territorial integrity of the Republic of Iraq.

The Government of the Republic of Iraq places full international responsibility stemming from this aggression on the Iranian Government, warns it of the consequences of a renewal of such actions and reserves the legitimate right of Iraq to do what it deems appropriate to defend the integrity and sovereignty of its airspace, its territory and its territorial waters, the security of its people and its right to full compensation in accordance with international law for the injury resulting from this blatant aggression.

I should like, through you, to appeal to the Iranian neighbour to stop its acts of aggression, and I hope that the United Nations will shoulder its responsibilities with regard to the implementation of the principles and provisions of its Charter, and that it will oppose the aggression to which one of its Member States is being subjected by another Member State, so as to ensure respect for the sovereignty, security and integrity of all Member States, thereby making it possible to preserve international peace and security in this region and throughout the entire planet.

I should be grateful if you would have the text of this letter circulated as a document of the Security Council.

(Signed) Mohamed Said AL-SAHAF
Minister for Foreign Affairs
of the Republic of Iraq

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Security Council

Distr.
GENERAL

S/1996/618
2 August 1996
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 30 JULY 1996 FROM THE SECRETARY-GENERAL
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to refer to Security Council resolution 1063 (1996) of 28 June 1996, by which the Council decided to establish the United Nations Support Mission in Haiti (UNSMIH).

Having conducted the customary consultations, I propose that the military component of the Mission should be made up of contingents from the following Member States: Bangladesh, Canada, Pakistan and Trinidad and Tobago.

I also propose that the following States should contribute the police component: Algeria, Canada, Djibouti, France, India, Mali, Russian Federation and Togo.

All the above-mentioned States have stated that they are prepared to make the necessary personnel available to the Mission.

I should be grateful if you would bring these matters to the attention of the members of the Security Council.

(Signed) Boutros BOUTROS-GHALI

96-19652 (E) 020896 020896 030896

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Security Council

Distr.
GENERAL

S/1996/619
2 August 1996

ORIGINAL: ENGLISH

LETTER DATED 2 AUGUST 1996 FROM THE PRESIDENT OF THE SECURITY COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to inform you that your letter dated 30 July 1996 (S/1996/618) concerning the composition of the military and police elements of the United Nations Support Mission in Haiti (UNSMIH) has been brought to the attention of the members of the Security Council. They take note of the information contained in your letter and agree with the proposals mentioned therein.

(Signed) Tono EITEL
President of the Security Council

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General Assembly
Security Council

Distr.
GENERAL

A/51/264
S/1996/620
2 August 1996

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-first session
Item 43 of the provisional agenda*
THE SITUATION IN BURUNDI

SECURITY COUNCIL
Fifty-first year

Letter dated 2 August 1996 from the Permanent Representative of the United Republic of Tanzania to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith the text of a letter dated 1 August 1996 from the Minister for Foreign Affairs and International Cooperation of the United Republic of Tanzania addressed to you, transmitting the full text of the Joint Communiqué of the Second Arusha Regional Summit on Burundi, held on 31 July 1996 in the northern town of Arusha, United Republic of Tanzania. The communiqué was unanimously adopted by all the participants present.

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the General Assembly, under item 43 of the provisional agenda, and of the Security Council.

(Signed) Daudi N. MWAKAWAGO
Permanent Representative

* A/51/150.

96-19639 (E) 050896 060896

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ANNEX

Letter dated 1 August 1996 from the Minister for Foreign Affairs and International Cooperation of the United Republic of Tanzania addressed to the Secretary-General

As you are aware, at the invitation of H.E. President Benjamin W. Mkapa, a Summit Meeting was convened in Arusha yesterday, 31 July 1996, to consider the prevailing situation in Burundi in the aftermath of a military take-over of the Government there.

In this respect, I have the honour to transmit to Your Excellency the Joint Communiqué issued by the leaders of the region following that Summit Meeting.

Allow me to draw your particular attention to paragraph 11 on the decision to impose sanctions against the regime in Bujumbura and paragraph 14 on the preparedness of the countries of the region to cooperate with the United Nations and make an appropriate contribution towards the adoption of measures aimed at averting a catastrophe in the event of further deterioration of the situation in Burundi. The support of the United Nations and the international community is requested.

I request you to circulate the communiqué as a document of both the General Assembly and the Security Council, in accordance with the relevant provisions of the rules of procedure.

(Signed) Jakaya M. KIKWETE, MP
Minister for Foreign Affairs
and International Cooperation

APPENDIX

Joint Communiqué of the Second Arusha Regional Summit on Burundi, held on 31 July 1996

1. At the invitation of President Benjamin William Mkapa of the United Republic of Tanzania, Presidents Daniel arap Moi of Kenya, Yoweri Kaguta Museveni of Uganda, Pasteur Bizimingu of Rwanda, Prime Minister Meles Zenawi of Ethiopia and Prime Minister Kengo wa Dondo of Zaire met and held talks on 31 July 1996 in Arusha, on the current situation in Burundi.

2. Also participating in the Regional Summit were the Minister of External Relations of Cameroon, Ferdinand Leopold Oyano, representing the current Chairman of the Organization of African Unity (OAU), the Secretary-General of OAU, Salim Ahmed Salim, and the Facilitator of the Burundi peace talks, Mwalimu Julius K. Nyerere.

3. The Regional Summit affirms that the immediate problem of the current political situation in Burundi is basically that of illegality, which is the culmination of the deliberate process which started in October 1993. The Summit feels that this will deepen the conflict in Burundi and worsen the security and stability of the whole subregion.

4. The Regional Summit strongly condemns the coup in Burundi and reiterates the imperative necessity to end the illegality and restore constitutional order.

5. The Regional Summit recalls the decision of the OAU Assembly of the Heads of State and Government which met in Yaoundé in July 1996 and which fully endorses the Mwanza peace process and the Arusha initiative.

6. It also recalls the statement issued by President Paul Biya, the Chairman of OAU, the decision of the Central Organ of the OAU Mechanism for Conflict Prevention, Management and Resolution of Conflicts, dated 25 July 1996, and the statement of the President of the United Nations Security Council dated 24 July 1996 (S/PRST/1996/31).

7. The Regional Summit calls on the Bujumbura regime to immediately undertake specific measures aimed at returning to constitutional order, including:

(a) Immediate restoration of the National Assembly, which is a democratic institution of legality that has derived its mandate from the people of Burundi;

(b) Immediate unbanning of political parties in the country.

8. The Regional Summit calls on the regime to undertake immediate and unconditional negotiations with all the parties to the conflict. It stresses that these negotiations should include parties and armed factions inside and outside the country.

9. The Regional Summit underlines that the framework of these negotiations should be the Mwanza peace process, reinforced by the Arusha peace initiative,

under the auspices of Mwalimu Nyerere, which seeks to guarantee security and democracy for all the people of Burundi.

10. The Regional Summit firmly reiterates its call for an immediate end to killings and massacres. In this regard, the Regional Summit urges all involved parties to respect this call.

11. The Regional Summit decided to exert maximum pressure on the regime in Bujumbura, including the imposition of economic sanctions in order to bring about conditions which are conducive to a return to normalcy in Burundi. In this regard, the Summit strongly appeals to the international community to support the efforts and measures taken by the countries of the region.

12. The Regional Summit calls upon all the parties to scrupulously abide by the Mwanza peace process and to refrain from taking any action which would undermine the efforts towards peace, security and stability.

13. The Regional Summit takes note with appreciation of the task undertaken by the Technical Committee which has been specifically mandated to look into modalities of providing security assistance as envisaged by the Regional Summit of 25 June 1996.

14. In this regard, the Regional Summit reaffirms its commitment to implement the Arusha Summit conclusions and calls on the regime in Bujumbura to facilitate their implementation. The Summit also calls upon all the parties in conflict to abide by the Arusha initiative. At the same time, it declares its preparedness to cooperate fully with the United Nations and to make its contribution as appropriate towards the adoption of measures aimed at avoiding a catastrophe in the country in the event of the further deterioration of the situation. In this context, the Regional Summit strongly stresses the importance of closer cooperation and better coordination between the United Nations and OAU, as well as with the countries of the region.

15. The Regional Summit expressed its appreciation to President Benjamin William Mkapa of the United Republic of Tanzania for playing host to the Second Regional Summit in Arusha, and to the Tanzanian Government for the hospitality accorded to them and their delegations.

16. DONE at Arusha, United Republic of Tanzania, on 31 July 1996.

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General Assembly
Security Council

Distr.
GENERAL

A/51/266
S/1996/621
5 August 1996

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-first session
Item 71 of the provisional agenda*
GENERAL AND COMPLETE DISARMAMENT

SECURITY COUNCIL
Fifty-first year

Letter dated 24 July 1996 from the Permanent Representative of Germany to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith the text of a seven-point action programme on anti-personnel mines, presented by Dr. Klaus Kinkel, Federal Minister for Foreign Affairs of Germany, on 18 July 1996.

May I ask for your kind assistance in circulating the text of the present letter and its annex as a document of the General Assembly, under item 71 of the provisional agenda, and of the Security Council.

(Signed) Tono EITEL

* A/51/150.

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ANNEX

Seven-point action programme on anti-personnel mines presented by Dr. Klaus Kinkel, Federal Minister for Foreign Affairs of Germany, on 18 July 1996 in Bonn

Every year some 20,000 people worldwide are killed or maimed by mines. It is estimated that there exist 85 to 100 million uncleared land-mines in 65 countries. Anti-personnel mines kill and maim week in, week out hundreds of civilians worldwide. They are an ever present threat to life and limb, even years after fighting has ended.

We must do everything possible to put an end to this tragedy. The Federal Government has taken action. In January 1996, it imposed a unilateral unlimited moratorium on all exports of anti-personnel mines. In April 1996, the Federal Armed Forces relinquished totally and unconditionally the use of anti-personnel mines. Existing stocks will be destroyed. The Review Conference of the States Parties to the Convention on Certain Conventional Weapons, which ended on 3 May 1996, agreed on more extensive prohibitions and restrictions on land-mines. This was an urgently needed step but does not go far enough.

I therefore propose a seven-point action programme on anti-personnel mines:

1. An international ban on anti-personnel mines. This cruel and inhumane weapon must be once and for all eradicated from the face of the Earth. Germany has banned anti-personnel mines from its weapons arsenals. Some of the Federal Government's partners in the European Union (EU) have taken similar action. This must be our starting-point. Objectives such as a total ban on anti-personnel mines, a complete ban on exports and effective mine clearance must be made key elements of the new EU joint action. I have already asked my colleagues for their support on this issue. Europe-wide action alone cannot, however, solve the problem. I have therefore instructed German embassies and German missions to international organizations to make démarches to the relevant bodies with a view to adopting a common approach to outlawing the use of anti-personnel mines worldwide.

2. Helping with mine clearance, educating people about the dangers posed by mines and training mine-clearance personnel in countries affected. Practical programmes and pragmatic assistance in these areas are urgently needed. Top priority must be given to mine clearance. All existing resources allocated to work in this field by the EU, the United Nations and in national budgets must be pooled and made optimum use of. The Federal Government will continue to do all in its power to support technical innovations offering hope of speedier and safer mine clearance. Despite the current budgetary constraints I will strongly urge that German efforts in this area be still further intensified over the years ahead.

3. Contribution of the Federal Armed Forces. Educating people and training experts in mine detection and clearance are both crucial to the successful solution of the land-mine problem. In this field the Federal Armed Forces have particular expertise. The Federal Ministry of Defence is working on

plans to offer mine-clearance training in Germany or to send training teams to improve mine clearance in affected countries, for example, Bosnia and Herzegovina. This initiative on the part of the Federal Minister of Defence has my full support. In consultation with the Secretary-General of the United Nations, an exchange of data on mines with the Mine Documentation Centre of the Federal Armed Forces has already been agreed and implemented.

4. Participation of the North Atlantic Treaty Organization (NATO) and the Western European Union (WEU) in the efforts to tackle the global mine problem. In the search for a solution to this worldwide problem, NATO and WEU should no longer stand on the sidelines. I have contacted the NATO and WEU Secretaries-General to ask them to do everything in their power to support these efforts. Possible contributions might be the development of revised deployment concepts and the transfer of expertise to assist mine-clearance activities in Europe.

5. The speediest and widest possible application of the Revised Mine Protocol. The Review Conference of the States Parties to the 1980 Convention on Certain Conventional Weapons on 3 May 1996 adopted a Revised Mine Protocol. However, the more extensive prohibitions and restrictions agreed upon fall short of the Federal Government's goals and expectations. The Federal Government wants to see a total ban on anti-personnel mines. The Revised Mine Protocol is a first step in this direction which now has to be consolidated. It must therefore swiftly enter into force and all States are called upon to accede to it. In fact, some of the States most affected by the mine problem have not yet acceded to the Protocol. I shall appeal to all States which have not yet done so to accede immediately.

6. Contributions to solving the mine problem - a criterion for technical and financial cooperation. The uncleared anti-personnel mines in 65 countries all over the world also pose an enormous problem for development. Until minefields are finally cleared, affected agricultural land is rendered unusable for years. Affected countries themselves must play a larger part than in the past in the efforts to tackle the problem of anti-personnel mines. I shall press for their constructive cooperation in this area to be from now on a criterion for participation in our financial and technical cooperation programmes.

7. Support for international efforts to cope with the mine problem. In the Security Council of the United Nations I shall strongly urge that mine clearance be part of the functions of United Nations peace-keeping missions. The magnitude and complexity of the land-mine problem call for a joint approach on the part of Germany and its partners, which are also heavily committed to solving this problem. President Clinton recently presented a United States initiative and both Canada and Japan have this year organized symposia on the issue. The land-mine problem is also featuring ever more largely on the agenda of the United Nations.

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Security Council

Distr.
GENERAL

S/1996/622
5 August 1996

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS TRANSITIONAL ADMINISTRATION FOR EASTERN SLAVONIA, BARANJA AND WESTERN SIRMIUM

I. INTRODUCTION

1. The present report is submitted pursuant to paragraph 4 of Security Council resolution 1037 (1996) of 15 January 1996. In that resolution, the Secretary-General was requested, on the completion of demilitarization of the Region of Eastern Slavonia, Baranja and Western Sirmium (hereafter referred to as the Region), to report monthly to the Council regarding the activities of the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium (UNTAES) and the implementation by the parties of the Basic Agreement of 12 November 1995 (A/50/757-S/1995/951).

II. POLITICAL ASPECTS

2. With the successful demilitarization of formed military units in the Region, as described in my report to the Council of 26 June 1996 (S/1996/472), the focus of the mission has moved to implementation of the civilian and political aspects of the mandate. Key achievements have included the opening for navigation of the Drava river, the restoration of the main railway line between Croatia and the Federal Republic of Yugoslavia and the facilitation of demining for humanitarian purposes in priority areas, especially in and around Lipovac, a key condition for the return of Croat displaced persons. The Transitional Administrator has made strenuous efforts to build confidence in the Region and to maintain the full support of the Croatian and Federal Republic of Yugoslavia authorities. He has continued to meet regularly with Presidents Tudjman and Milosevic. He has also addressed the Permanent Council of the Organization for Security and Cooperation in Europe (OSCE) on developments in the Region.

3. However, as practical progress is made in reintegrating the Region into Croatia, the apprehensions of the local Serb population have increased, creating new challenges for the mission. Their concerns are linked to the deterioration of the economic situation, the absence of funding for the local administration and delays in disbursement of international assistance, as well as the growing pressure from the Government of Croatia to have the UNTAES mandate terminated on

15 January 1997. Fear has also been exacerbated by the continued absence of an adequate amnesty law and by a number of threatening telephone calls from other parts of Croatia to members of the local Serb population, particularly those whose names are on the list of persons exempted from existing Croatian amnesty legislation. For the first time since the deployment of UNTAES, peaceful mass demonstrations by local Serbs, mainly women, occurred at Vukovar on 15 and 17 July 1996, and more are foreseen. While, on the one hand, these demonstrations reflect the genuine anxiety of the Serb population, on the other they also bear signs of political organization. They indicate undoubtedly, however, the growing uncertainty and political ferment in the Region, which, if its causes are not addressed by the international community, threatens to undermine the achievements recorded by UNTAES and to disrupt further progress.

A. The economic situation and the need for funding

4. It will be recalled that in the statement by its President of 3 July 1996 (S/PRST/1996/30), the Council expressed concern at the worsening economic situation in the Region and urged the Government of Croatia to cooperate closely with UNTAES to identify and provide funding for the local administration and public services. The revenue base of the local administration has been deteriorating steadily since the closure of the Djeletovci oil field in April 1996. The local administration has been unable to pay the salaries of some 3,600 civil servants, including teachers, health workers and police, as well as general operational costs. This precarious financial base for administering the Region, together with the presence of significant numbers of demobilized and unemployed ex-combatants, is undercutting the public confidence in UNTAES that had been created in the early months of the Mission.

5. In keeping with paragraph 22 of Security Council resolution 1037 (1996), the Transitional Administrator has been actively pursuing all possible sources of funding for the local administration. The Government of Croatia initially indicated it would provide 12 million kuna (US$ 2.2 million) per month, but to date has made only a one-time payment of 6 million kuna. Although this payment was made on a "no strings attached" basis, the Government of Croatia has subsequently attempted to impose conditions on its use by UNTAES. Efforts to reach agreement on utilizing revenues from the Djeletovci oil field for administering the region have stalled, the Government maintaining that INA (the Croatian national oil company) does not have resources to make regular monthly payments and that profits from the oil fields would not be generated for two to three months. The European Commission has pledged $10 million for a reconstruction package, a portion of which might be used to support local administrative structures, but those funds will not be available until September at the earliest. The idea of a pledging conference has been explored but, thus far, potential donors have shown limited interest.

B. Duration of the UNTAES mandate

6. A second outstanding issue concerns the duration of the UNTAES mandate. According to paragraph 1 of the Basic Agreement "There shall be a transitional period of 12 months which may be extended at most to another period of the same

duration if so requested by one of the parties". By its resolution 1037 (1996), the Council established UNTAES for an initial period of 12 months and expressed its readiness to review the situation and to take appropriate action in the light of a report by the Secretary-General no later than 15 December 1996. In public statements during the past month, senior Croatian officials have stated that the Government of Croatia will not agree to any extension of the UNTAES mandate beyond its present expiration date of 15 January 1997. On the basis of exploratory discussions with the Croatians, however, UNTAES estimates that they would contemplate an extension of a few months with a revised mandate under certain conditions. The holding of elections in the Region by December 1996 appears to be one of those conditions. At the same time, pursuant to the provisions of the Basic Agreement, the local Serb Regional Assembly decided on 6 June 1996 to request the Council to extend the UNTAES mandate for an additional 12 months to 15 January 1998. A formal request is expected shortly.

7. The present state of uncertainty regarding the duration of the UNTAES mandate may begin to inhibit the ability of the mission to operate effectively. Doubts about the duration of the mandate affect various aspects of the mission's operation in a number of ways: the timetable for elections and their political context and organization; the impact of economic reintegration and confidence-building projects; the possibility of substantial return of displaced persons while UNTAES is in the Region; the confidence level of the Serb population in the Region; and, ultimately, the date by which the majority of them will decide whether to stay or to leave. This question thus threatens to become the major local political issue, adding to political ferment in the Region.

C. Amnesty

8. In the statements by its President of 22 May and 3 July (S/PRST/1996/26 and S/PRST/1996/30), the Security Council expressed its regret that the Government of Croatia had not yet adopted a comprehensive amnesty law and urged that that action should be taken as soon as possible. In an apparent response to these statements, on 28 June the Croatian media published a list of 811 persons whom the Government of Croatia had identified as being excluded from the provisions of the Amnesty Law adopted by the Parliament on 17 May 1996. The Government stressed that the list was not final, as it was composed mostly of individuals accused or suspected of war crimes but not of other categories of crimes such as espionage, sabotage or threats to the territorial integrity of Croatia. It has since been determined that the list contained several apparent errors: it included an individual who had already been granted amnesty, a number of non-combatants, several elderly persons and at least one person who died some years ago.

9. The promulgation of the Amnesty Law and the publication of the aforementioned list has created confusion about who has been granted amnesty and who is exempted from it, undermining the positive impact these steps might otherwise have had. Not surprisingly, the local reaction in the Region has been negative and the affected population has become alarmed, damaging the ongoing confidence-building process, and contributing significantly to the recent demonstrations.

III. MILITARY ASPECTS

10. The military situation in the Region was calm and stable over the last month. There are no significant incidents to report. The military component of UNTAES has maintained a highly visible profile by numerous day and night patrols throughout the Region in order to monitor safety and security and to boost local confidence in UNTAES. The battalions continue to provide security to family meetings, village visitation programmes and other visits in cooperation with civil affairs, the United Nations civilian police and the Transitional Police Force. Of particular concern has been the presence of Croatian Special Police at several positions in the zone of demilitarization (formerly the zone of separation) which is under UNTAES control. Continued protests by UNTAES have not succeeded in removing this presence. As authorized by resolution 1037 (1996), arrangements are in place with the Implementation Force (IFOR) to provide UNTAES with close air support. Training exercises by IFOR in airspace over Eastern Slavonia began on 26 July. The Governments of Croatia and the Federal Republic of Yugoslavia have signed agreements with IFOR on airspace use.

IV. CIVILIAN ASPECTS

A. Civil affairs

11. The civil affairs component, through the mechanism of the joint implementation committees, has continued to record progress in various important areas. In the Joint Implementation Committee on Civil Administration, agreement in principle has been reached on a project for the centralized issuance of essential personal documents by Croatian officials for two months, beginning in August 1996, in three locations in the Region, which will later be extended to other locations. The availability of citizenship papers is essential to the implementation of other aspects of the mandate, such as the return of displaced persons and the organization of elections.

12. The closure of the Djeletovci oil field in April has produced a serious fuel shortage in the Region. For the past several weeks difficult negotiations have been taking place between the INA (Croatian) and NIK (local Serb) oil companies, under UNTAES auspices, over the reopening of petrol stations in order to ensure a dependable supply of fuel to the Region. These discussions are also dealing with the fundamental issue of the transfer of the ownership of NIK and its assets to INA and the related question of the continuing employment of NIK personnel by the INA management. In mid-July, the Government of Croatia offered and delivered 300,000 litres of fuel to UNTAES for use in various priority areas as determined by the mission. Under UNTAES guidance, the parties are continuing discussions on the finalization of contracts for the demining of the Djeletovci oil field. Demining is now expected to begin in early August, with the reopening of the oil production facilities scheduled for mid-August.

13. UNTAES has commenced human rights training in the Region. A human rights training seminar sponsored by the Council of Europe and a local non-governmental organization was organized and conducted by the Joint Implementation Committee on Human Rights at Osijek, Croatia. Delegates to all the joint implementation committees were invited to the seminar, which was the first such training

programme for the middle level bureaucracy in the Region and its immediate environs. Other similar training programmes are envisaged. Since early July, UNTAES civil affairs staff have been co-located with local Serb authorities in the Regional Executive Council headquarters in order to facilitate a more direct involvement of UNTAES in the day-to-day tasks of Regional administration.

B. Electoral matters

14. Pursuant to paragraph 12 of the Basic Agreement and the responsibilities envisaged therein for UNTAES to organize elections, to assist in their conduct, and to certify the results, an electoral survey mission was undertaken by the Electoral Assistance Division of the United Nations Secretariat in April 1996, and a needs assessment mission went to the Region from 13 to 21 July. The purpose of the needs assessment mission was, inter alia, to discuss and assess the conditions for the organization of elections with the Transitional Administrator of UNTAES and relevant Croatian and Serb authorities; to assess the overall framework for the organization of elections and to prepare a detailed timetable for them; to review the existing legal framework and to assess the potential needs to revise the legislation; to prepare the overall budget; and to design the composition of the electoral component of UNTAES. Following the visit, the civil affairs component has established an elections unit to begin preparations for local elections. In its report the mission analysed all key issues requiring political consideration and recommended that the outstanding policy issues be addressed as a matter of priority. The report also indicated that, under prevailing conditions and logistics, the earliest possible date on which elections could be held would be late February or early March 1997, on condition that the outstanding policy issues are resolved by mid-October, failing which a further delay would be unavoidable.

C. Police matters

15. Out of an authorized strength of 600 civilian police monitors, 442 have been deployed in the mission area. At present, their main task is to monitor the Transitional Police Force which is envisaged to have a total strength of 1,300 personnel. The Transitional Police Force, established on 1 July, is experiencing difficulties in becoming effective: there have been delays in clearing names of police officers with the Croatian authorities and in obtaining new uniforms from the manufacturers; fuel shortages have limited patrols; and, perhaps most importantly, major questions about salaries remain unsettled. The Government of Croatia initially undertook to pay those salaries, but its latest position is that it will pay them only when the police "work for the State of Croatia". Despite these difficulties, deployment of the Transitional Police Force continues and has been partially completed in some areas. Local Serb and Croat police officers have been deployed as co-commanders at the 11 police stations in the Region. Joint patrols commenced in the zone of demilitarization with the active participation of United Nations civilian police monitors. As confidence develops, patrols will be progressively extended to other parts of the Region.

16. UNTAES attaches the highest priority to rendering the Transitional Police Force fully operational and effective. There has been a slight increase in lawlessness in the Region which is owing mainly to the difficult economic and social condition and to the continued operations of criminal elements and gangs. Most of the incidents have involved shootings, and the Transitional Police Force has sought to establish itself as a credible force in response to these incidents by confiscating weapons. Demilitarization of the previous local police stations has been undertaken, but registration of small arms at the Transitional Police Force stations has failed to occur. This may partly be explained by the desire of local residents to wait for and take advantage of a proposed weapons buy-back programme to be sponsored by the Croatian Government.

D. Border monitors

17. As of 31 July, 37 UNTAES border monitors have been deployed. Operational monitoring of eight international crossing points was instituted in early July. UNTAES enacted a temporary suspension of the illegal export of unprocessed timber in July, which was lifted after the local administration developed appropriate legal documentation for such exports.

E. Public affairs

18. The UNTAES public affairs unit has carried out a range of activities through its radio programmes on a local radio station, the publication of the UNTAES Bulletin, and numerous appearances by UNTAES senior personnel on television and radio call-in programs. Given the widespread lack of knowledge about the transition period among the local population when UNTAES was first deployed in April 1996, the mission has striven to inform the local residents about the process of re-integration. The current focus is on issues relating to citizenship, property, human rights and employment. Following demilitarization in late June, UNTAES has arranged numerous visits by Croatian journalists to the Region. The mission has also facilitated the visits of some local Serb journalists from the Region to Osijek and other localities in Croatia.

V. HUMANITARIAN ASPECTS

19. The Office of the United Nations High Commissioner for Refugees (UNHCR) and UNTAES have developed terms of reference for a collaborative approach to the return of displaced Serbs and Croats both to and from the Region. The terms of reference, which were finalized on 29 July, detail specific areas of coordination on, inter alia, information-sharing, coordination of staff resources and logistical support by UNTAES for returns where necessary.

20. Notable progress on pilot projects for return continues within the context of the UNHCR-chaired Joint Implementation Committee on Returns. While the Committee remains the forum for periodic updates from both Croat and Serb political delegates, working groups have been established for each of the three pilot project villages identified in the Region for the purpose of organizing technical assessments, village visits and other operational tasks. The

selection of UNHCR implementing partners for housing and community-building rehabilitation works is being finalized, and the working groups will establish work plans in direct cooperation with the non-governmental organizations selected.

21. At the last UNHCR-chaired Joint Implementation Committee on Returns UNTAES informed UNHCR that demining projects in the area could be started within a matter of weeks.

VI. OBSERVATIONS

22. UNTAES continues to make vigorous efforts to achieve the full and peaceful reintegration of the Region into Croatia. It now faces key challenges, which will influence how many Serbs will stay in the Region and whether restoration of the multi-ethnic character of the Region under Croatian control will be possible. The most immediate concern is to obtain funding for the local administration of the Region until such time as sustained Croatian financing becomes available, possibly a period of up to six months. It is indeed regrettable that the Government of Croatia has not yet been prepared to provide such funding, despite its clear obligation to cooperate fully with UNTAES and repeated demands by the Security Council that the host country help offset the costs of the operation. The mandated objective of UNTAES is to move towards the peaceful reintegration of this portion of Croatia's territory. The Government of Croatia has therefore an evident responsibility to support its administration financially during this transitional period. Unless the present negotiations with the Government of Croatia soon reach a satisfactory conclusion, I shall have to consider whether the situation has reached the point where I must report to the Council that one of the parties has significantly failed to comply with its obligations under the Basic Agreement.

23. I would also like to underline the negative effects on Serb confidence and UNTAES operations caused by the uncertainty regarding the duration of the UNTAES mission (see para. 6 above). The UNTAES mandated tasks constitute the building blocks for the difficult process of reconciliation necessary for the Region to regain its peaceful multi-ethnic character. Those building blocks include: economic rehabilitation to provide employment for residents and returnees; the establishment of a fully operational multi-ethnic Transitional Police Force to create and maintain conditions of law and order; the facilitation of the return of thousands of displaced persons to all areas, including those devastated by war and infested with mines; the construction or repair of sufficient housing to accommodate returnees; the issuance of Croatian citizenship documents to tens of thousands of residents of the Region so that they may benefit from the protection of the Croatian constitutional and legal order; the organization of elections; and the establishment of a joint council of municipalities appointed by the Serbian community as provided in the Basic Agreement.

24. While these tasks are daunting, particularly in the severe winter period when key activities such as demining and housing reconstruction slow down or stop, UNTAES is making encouraging progress in regard to the implementation of all aspects of its mandate. Given present conditions in the Region, however, it does not appear realistic to expect that these tasks will be completed by the

expiration of the current UNTAES mandate. Considerable progress has been made, but much remains to be done. To cite one example, the organization of free and fair elections (see para. 14 above) in the Region is predicated upon the prior accomplishment of difficult tasks such as the establishment of an appropriate legal framework, determination of criteria for eligibility of candidates and voters, definition of the boundaries of municipalities, districts and counties and logistical preparations. A decision must also be made as to whether a prerequisite of voting should be the possession of Croatian citizenship documents, which are currently held by only a small portion of the Region's Serb population and which will be in the hands of all potential voters only after several months of intensive work by the Croatian authorities, work which has yet to be undertaken.

25. It is indeed gratifying that the parties to the Basic Agreement continue to pledge their commitment to the reintegration process. Recent occurrences nevertheless indicate that each party is seeking to maximize its interests as the integration process draws closer to its formalization with the holding of regional elections. Political posturing and brinkmanship are likely to increase and, at times, impede or threaten the entire reintegration process. Therefore, in considering the many and complex tasks that UNTAES has been mandated to perform and in order to provide greater clarity and guidance to the mission in the performance of its mandate, the Council, reaffirming its own decision that UNTAES has been established for an initial period of 12 months, may wish to consider the possibility of indicating now that it intends to extend the mandate of UNTAES by up to a further 12 months to enable it to accomplish its tasks. The Government of Croatia should also be reminded of its responsibilities to contribute to the costs of the UNTAES operation and to promote financial support for the orderly administration of the Region. In addition, it is important that the Government of Croatia be encouraged to enact an improved Amnesty Law. The local Serb community, for its part, should be reminded that it is in its interest to cooperate fully with UNTAES in the efforts to achieve peace throughout the former Yugoslavia.